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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

LYNN MACY,

PLAINTIFF,

vs.

CSA-18 SPECIAL DISTRICTS PUBLIC
WORKS,

DEFENDANT.

Case No.: 5:24-cv-00902-AB-SHK

**PLAINTIFF'S OPPOSITION TO
DEFENDANT'S MOTION TO DISMISS
PLAINTIFF'S SECOND AMENDED
COMPLAINT; MEMORANDUM OF POINTS
& AUTHORITIES, & REQUEST FOR
JUDICIAL NOTICE**

Date: August 27, 2025

Time: 10:00 a.m.

Location: George E. Brown, Jr.
United States Courthouse 3470 12th St.,
Courtroom 3 or 4, Riverside, CA 92501

Case Assigned to:
Honorable District Court Judge Andre
Birotte, Jr.

Referred to:
Honorable Magistrate Judge Shashi H.
Kewalramani

TO THE HONORABLE COURT, DEFENDANT, & THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that Plaintiff LYNN MACY's Opposition to Defendant's Motion to Dismiss Plaintiff's Second Amended Complaint; Memorandum of Points & Authorities, & Request for Judicial Notice being heard on August 27, 2025, at 10:00 a.m. before the Honorable Magistrate Judge Shashi H. Kewalramani in Courtroom 3 or 4, at 3470 12th Street, Third Floor, Riverside, California 92501. This Opposition to Defendant's Motion to Dismiss Plaintiff's Second Amended Complaint; Memorandum of Points & Authorities, & Request for Judicial Notice is based on this Notice. Based on the foregoing, it is respectfully requested that Defendant's Motion to Dismiss Plaintiff's Second

1 Amended Complaint; Memorandum of Points & Authorities, & Request for
2 Judicial Notice be dismissed.

3 Plaintiff's Second Amended Complaint is in compliance with Rule 8. The
4 SAC does allege liability statutes & authorizing statutes for claims against the
5 Defendant. Plaintiff's first claim for relief for "Unreasonable Search" does state a
6 claim upon which relief can be granted against this moving Defendant.
7 Plaintiff's second claim for relief for Municipal & Supervisory Liability, Monell,
8 does state a claim upon which relief can be granted against this moving
9 Defendant. Plaintiff's third claim for relief "Invasion of Privacy" & Intentional
10 Infliction of Emotional Distress ("IIED") does state a claim upon which relief can
11 be granted against the moving Defendant. Plaintiff's fourth claim for Trespass
12 does state a claim upon which relief can be granted against this moving
13 Defendant. Plaintiff's fifth claim for Destruction of Private Property does state a
14 claim upon which relief can be granted against this moving Defendant.
15 Plaintiff's sixth claim for Extortion does state a claim upon which relief can be
16 granted against this moving Defendant.
17

18 Plaintiff has alleged the necessary factual & legal bases to support
19 cognizable federal claims. Plaintiff has provided Defendant with a concise
20 summary of the events, people, locations, facts surrounding the events,
21 encounters, interactions & gives Defendant fair notice of what Plaintiff's claim is
22 & the grounds upon which it rests. Plaintiff's complaint does state a claim & has
23 cognizable legal theory & has sufficient facts under a cognizable legal theory.
24 The court must construe the complaint in the light most favorable to the Plaintiff.
25 To be sufficient under the Federal Rules of Civil Procedure, a complaint must
26 contain a "short and plain statement of the claim showing that the pleader is
27 entitled to relief". This requirement, found in Federal Rule of Civil Procedure
28

1 8(a)(2), mandates that the pleading include sufficient factual matter, accepted
2 as true, to state a claim that is plausible on its face. The court must accept the
3 nonmoving party's allegations as true when evaluating a motion to dismiss. To
4 survive such a motion, the complaint must allege facts that allow the court to
5 draw the reasonable inference that the defendant is liable for the misconduct
6 alleged. This plausibility standard applies to all claims, including allegations of
7 conditions of the mind like intent or malice, which, although they can be
8 alleged generally under Rule 9(b), must still be supported by sufficient facts to
9 render the allegation plausible. Plaintiff has sufficient facts in the Complaint as to
10 why Defendants are liable. For the reasons discussed, even viewing the facts
11 presented in the SAC & the inferences to be drawn therefrom in the light most
12 favorable to Plaintiff, there are many plausible claims against Defendant.
13 Defendant's Motion to dismiss Plaintiff's SAC should be dismissed.
14

15 Fed. R. Civ. P. 8 requires that a complaint contain a short & plain
16 statement of the claim showing that the pleader is entitled to relief. Fed. R. Civ.
17 P. 8(a). While Rule 8 does not require detailed factual allegations, at a minimum,
18 a complaint must allege factual allegations to provide "fair notice" of both the
19 particular claim being asserted & "the grounds upon which [the particular
20 claim] rests." Bell Atl. Corp. v. Twombly, 550 U.S. 544, 555 (2007) (citation &
21 quotation marks omitted). Plaintiff's SAC does comply & clearly & concisely sets
22 forth factual allegations sufficient to provide Defendant with notice of which
23 Defendant is being sued, on which theory, & what relief is being sought against
24 them. The SAC does allege concrete details as to the "who", "when", or the
25 "Where" all of the events, incident, & encounters described therein occurred. -
26

27 Defendant's Attorney Seonhae Shin failed to make a reasonable & good
28 faith attempt to settle all issues. Defendant's Attorney also refused to discuss the

1 case at all. Defendant's Attorney continues to only dismiss the case & not
2 resolve the issues, also not allowing Plaintiff to discuss the case. Lead Counsel
3 has not contacted Plaintiff or offered any solutions about facts; intentionally
4 leaving things out. During this time, parties must discuss & make a **good faith**
5 **attempt to settle all issues**, even if a complete settlement is not possible & only
6 conditional agreements are made. Defendant's attorney refused to make **any**
7 attempt at settling the issues in the Complaint & only talked about dismissing the
8 case. Defendant's Attorney did not follow CCP sections 435.5 & 430.41 & did not
9 meet & confer. Defendant's Attorney made no effort to engage in good faith
10 attempts to come to an agreement or to allow Plaintiff's son who has Power of
11 Attorney for Lynn Macy; Jeff Macy to discuss the case. Plaintiff's son Jeff Macy
12 asked many times over the phone if Defendant's Attorney would come to any
13 agreement, which Defendant's Attorney refused to answer, only discussed
14 dismissing the case. Defendant's Attorney even said, they can't talk to us by the
15 San Bernardino legal department. Defendant's refuse to negotiate with Plaintiff.
16 Plaintiff has tried to meet with Defendant's Attorney numerous times to discuss
17 coming to an agreement, but Defendant's won't return Plaintiff's calls or
18 communicate with Plaintiff.
19

20 Attorney admitted that Plaintiff already won a hearing Case #: CSE-2023-
21 14000, but won't admit that it is an official court hearing; even though official
22 hearing officer in a legal proceeding agreed that "more likely than not,
23 Defendants trespassed" & Plaintiff won the hearing. There has been no
24 presence of lead counsel on this case. Seonhae Shin has been extremely rude
25 on phone & does not allow Plaintiff's son Jeff Macy to respond to anything.
26 Defendant's Attorney demands to only meet & confer at her convenient day &
27 time. Attorney did not understand the case, only read it, & was unwilling to
28

1 acknowledge this historic Religious case. Seonhae Shin did not cooperate &
2 only tried to cover up for the County of San Bernardino. This was not a proper
3 meet & confer, there was no resolution, Attorney only tried to dismiss this case.
4 Attorney was argumentative, did not answer questions, & did not investigate.

5 Our Country, the United States of America was founded upon standing up
6 against religious oppression. Attorney refused to cooperate, would not say if she
7 swore an oath to the U.S. Constitution or not. Defendant's attorney only wanted
8 to go over her side of the case, outside agency, not proper representation,
9 cannot represent San Bernardino County without swearing an oath to the
10 Constitution. According to California Constitution Article XX Miscellaneous
11 Subjects Sec. 3. "Members of the Legislature, & all public officers & employees,
12 executive, legislative, & judicial, except such inferior officers & employees as
13 may be by law exempted, shall, before they enter upon the duties of their
14 respective offices, take & subscribe the following oath or affirmation: "I,
15 _____, do solemnly swear (or affirm) that I will support & defend the
16 Constitution of the United States & the Constitution of the State of California
17 against all enemies, foreign & domestic; that I will bear true faith & allegiance to
18 the Constitution of the United States & the Constitution of the State of California;
19 that I take this obligation freely, without any mental reservation or purpose of
20 evasion; & that I will well & faithfully discharge the duties upon which I am about
21 to enter. "Public officer & employee" includes every officer & employee of the
22 State, including the University of California, every county, city, district, &
23 authority, including any department, division, bureau, board, commission,
24 agency, or instrumentality of any of the foregoing."

26 Defendant's Attorney is being a bully, just like the County of San
27 Bernardino who keeps giving Plaintiff frivolous notices of violations, & Plaintiff's

1 son asked numerous times if she knew about the case, which she would not
2 respond to. Seonhae Shin is illegally covering up, extremely rude, insulting,
3 argumentative, not cooperative, & only wanted to dismiss the case. Attorney
4 also refused to tell Plaintiff about her investigation, if she even did one, simply
5 getting as much tax payer dollars as she can. County is refusing to
6 acknowledge this as a religious case & that Plaintiff is being religiously
7 discriminated against. Defendant's Attorney made no effort or attempt in good
8 faith to resolve the issues in the Complaint.
9

10 Plaintiff has already complied with the Government Tort Claims Act under
11 Government Code Sec. 900 *et seq.*, a plaintiff is required to timely file a written
12 claim with a public entity, within a certain time period, before the plaintiff is able
13 to file a suit. Plaintiff has filed multiple claims with Sophia Salas at the
14 Department of Risk Management. Plaintiff has multiple claim #'s that can be
15 provided. Plaintiff has Power of Attorney from Mother Lynn Macy to bring suit on
16 her behalf. Plaintiff is also the Director of Religious Organization 1611Bible.us.

17 The Complaint provides many details about the incidents, encounters, &
18 causes of actions. The Complaint also alleges sufficient facts in support of each
19 & every cause of action, the statutory basis for liability, & authorizing statutes
20 against this public entity Defendant. Before a demurrer can be filed, CCP
21 section 430.41 requires the parties to meet & confer in person or by telephone
22 call. (CCP § 430.41(a).) As set forth in the accompanying Declaration of
23 Seonhae Shin,

24 counsel in good faith attempted to telephonically meet & confer with
25 Plaintiff regarding the moving party's objections to Plaintiff's Complaint. As of
26 the preparation & filing of this Demurrer, the parties could not reach an
27

1 agreement because Defendants made no effort to resolve the case. Thus, this
2 Demurrer is improper & should not be sustained without leave to amend.

3
4 Based on the foregoing, Plaintiff respectfully requests that this Court
5 dismiss Defendant's Demurrer & Motion to Strike without leave to amend.

6
7
8 Respectfully Submitted,

9
10 By Declarant: Jeff Macy

11 Jeff Macy

12 (Power of Attorney for Plaintiff Lynn Macy; Bible Translator & Director of Religious
13 Organization 1611Bible.us)

14
15 Dated: 8-6-25

DECLARATION OF SERVICE BY E-MAIL

Case Name: Macy, Lynn, v. CSA-18 Special Districts Public Works

Case No.: 5:24-cv-00902-AB-SHK

I declare:

1. I am at least 18 years old.

a. My residence or business address is: P.O. Box # 433, Twin Peaks, CA 92391.

b. My electronic service address is: Jerushastar@gmail.com.

2. I electronically served the following documents: **PLAINTIFF'S OPPOSITION TO DEFENDANT'S MOTION TO DISMISS PLAINTIFF'S SECOND AMENDED COMPLAINT; MEMORANDUM OF POINTS & AUTHORITIES, & REQUEST FOR JUDICIAL NOTICE.**

3. I electronically served the documents listed in 2 as follows:

a. Name of person served: Kellie Shin & Marisela Alonso

On behalf of: CSA-18 Special Districts Public Works

b. Electronic service address of person(s) served:

kellie.shin@cc.sbcounty.gov & Marisela.Alonso@cc.sbcounty.gov

c. On: 8/6/25

Date: 8/6/25

I declare under penalty of perjury under the laws of the State of California that the foregoing is true & correct.

Declarant: Jerusha Macy
Jerusha Macy